

STATE WATER RESOURCES CONTROL BOARD  
WORKSHOP SESSION – DIVISION OF WATER QUALITY  
SEPTEMBER 7, 2005

**ITEM 8**

**SUBJECT**

CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR AND ACCEPT FISCAL YEARS (FY) 2006-07/2007-08 CLEAN WATER ACT SECTION 106 WATER POLLUTION CONTROL PROGRAM GRANT, PLUS ANY CARRY-OVER FY 2005-06/2006-07 GRANT FUNDS

**DISCUSSION**

Section 106 of the federal Clean Water Act (CWA) authorizes the appropriation of monies for federal grants to assist states in administering programs for the prevention, reduction, and elimination of pollution. The State Water Resources Control Board (State Water Board) annually files an application with the U.S. Environmental Protection Agency (USEPA) for a continuing annual grant under CWA Section 106 and develops workplans to specify the tasks to be accomplished. Currently, the 106 funds support the National Pollutant Discharge Elimination System (NPDES) Program (wastewater and storm water) and Total Maximum Daily Load (TMDL) work.

In December 2003, the State Water Board and USEPA (collectively Agencies) signed a Partnership Agreement that prepared a Surface Water Program's Five-Year Strategy (Strategy) which addresses how the Agencies will achieve the objectives of the Partnership Agreement. This application covers the remaining two years of the Partnership Agreement's five-year Strategy.

For FY 2006-07/2007-08, USEPA has indicated that it is willing to provide up to a total of \$27 million in CWA Section 106 grant funds, plus carry-over funds from FY 2005-06/2006-07.

The exact amount of carry-over CWA Section 106 grant funds will not be ascertainable until final Financial Status Reports are prepared in September 2006/2007.

**POLICY ISSUE**

Should the State Water Board authorize the Executive Director to:

1. Apply for and accept a FY 2006-07/2007-08 CWA section 106 grant, (not to exceed \$27 million) plus any carry-over FY 2005-06/2006-07 grant funds;
2. Negotiate, approve, and/or amend the grants and the workplans; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA Section 106 grant funds?

**FISCAL IMPACT**

The FY 2005-06 CWA Section 106 grant was in an amount of \$10,072,600. If unexpended FY 2005-06/2006-07 grant funds are carried over to the FY 2006-07/2007-08 grants, the State Water Board will be advised; and the FY 2006-07/2007-08 grants will be amended accordingly.

**REGIONAL WATER QUALITY CONTROL BOARD IMPACT**

All Regional Water Quality Control Boards.

**STAFF RECOMMENDATION**

That the State Water Board authorizes the Executive Director to:

1. Apply for and accept a FY 2006-07/2007-08 CWA Section 106 grant, (not to exceed \$27 million) plus any carry-over FY 2005-06/2006-07 grant funds;
2. Negotiate, approve, and/or amend the grants and the workplans; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA Section 106 grant funds.

# DRAFT

August 29, 2005

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2005-

### AUTHORIZING THE EXECUTIVE DIRECTOR TO APPLY FOR AND ACCEPT FISCAL YEAR (FY) 2006-07/2007-08 CLEAN WATER ACT SECTION 106 WATER POLLUTION CONTROL PROGRAM GRANT, PLUS ANY CARRY-OVER FY 2005-06/2006-07 GRANT FUNDS

#### WHEREAS:

1. The U.S. Environmental Protection Agency (USEPA), Region 9, has indicated that the FY 2006-07/2007-08 federal Clean Water Act (CWA) Section 106 Water Pollution Control Program Grant for California will not exceed \$27 million, plus any carry-over FY 2005-06/2006-07 funds.
2. In December 2003, the State Water Resources Control Board (State Water Board) and USEPA (collectively Agencies) signed a Partnership Agreement that prepared a Surface Water Program's Five-Year Strategy (Strategy) which addresses how the Agencies will achieve the objectives of the Partnership Agreement. This application covers the remaining two years of the Partnership Agreement's five-year Strategy.
3. The CWA Section 106 Grant currently assists the State Water Board in funding the National Pollutant Discharge Elimination System (NPDES) Program for regulation of surface water discharges including storm water discharges and Total Maximum Daily Load development.

#### THEREFORE BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director to:

1. Apply for and accept a FY 2006-07/2007-08 CWA Section 106 grant, (not to exceed \$27 million) plus any carry-over FY 2005-06/2006-07 grant funds;
2. Negotiate, approve, and/or amend the grants and the workplans; and
3. Negotiate, approve, and amend contracts as necessary using the budgeted CWA Section 106 grant funds.

#### CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 22, 2005.

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Debbie Irvin  
Clerk to the Board